



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2500129
Applicant Name: Julia Campbell for Jaime and Michael Rawding
Address of Proposal: 2425 10th Ave W

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of a terraced garage accessory to a single family residence.

The following approvals are required:

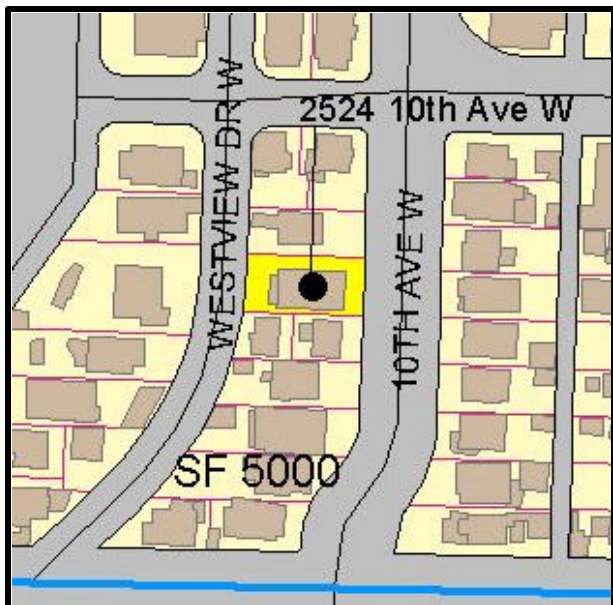
Variance to exceed the maximum lot coverage on a single family lot.
(SMC 23.44.010 - C) Allowed: 35% Proposed: 40.7%

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction.

BACKGROUND DATA

Site and Area Description

The approximately 5,040 square foot site is located in a Single Family (SF 5000) residential zone which is residential in character. The site is located on the west side of 10th Ave W, just south of W Wheeler St. 10th Ave W is designated as an arterial street per SMC 23.53. The subject property is a through lot with street frontage on both 10 Ave W and Westview Dr W. The subject site has approximately fifty feet of frontage on both 10th Ave W and Westview Dr W, which are both paved with curbs, gutters and sidewalks on both sides of the street. The existing two-



story single family structure was originally built in 1907. Currently the site is provided vehicle access to surface parking from an existing curbcut off of 10th Ave W, which as mentioned is an arterial street. The driveway is located on the north side of the residence.

Development in the Vicinity

The surrounding zone is Single Family 5000 (SF 5000) and the development in the vicinity consists of single family residences which are predominantly one or two stories. Properties south of the site are developed with one and two story residences and north and west of the subject lot, similar development exists. The streets in the vicinity are improved to city standards and the topography is generally gradual slopes but no mapped Environmentally Critical Areas exist in the immediate vicinity. One common characteristic of the subject block is the vehicle access for the majority of residences is from Westview Dr W, a non-arterial street.

Proposal Description

The proponent proposes to construct a one-car terraced garage off of Westview Dr W. The proposal includes closing the existing curbcut off 10th Ave W and restoring the planting strip, sidewalk and curb. The existing lot coverage for the site is 34.9% as reviewed under MUP 2404068 Permit No. 745239, the most recent permit for the property. The proposed garage (21' x 14') would bring the total lot coverage of the property to 40.7%, exceeding the maximum allowable lot coverage of 35%, by 5.7%.

Public Comments

During the public comment period which ended March 18th, 2004, the City received no written comments related to the project.

ANALYSIS - VARIANCES

Pursuant to SMC 23.40.020 C, variances from the provisions or requirements of this Land Use Code shall be authorized when all the facts and conditions listed below are found to exist. Analysis of the variance requested follows each statement of the required facts and conditions.

- 1. Because of the unusual conditions applicable to the subject property, including size, shape, topography, location or surroundings, which were not created by the owner or applicant, the strict application of the Lands Use Code would deprive the property the rights and privileges enjoyed by other properties in the same zone or vicinity;***

In this case, the unusual condition applicable to the subject property is the existing vehicle access of an arterial street (10th Ave W). The owner wishes to change the access from 10th Ave W to the abutting non-arterial street Westview Dr. W, which is the predominant vehicle access point for the properties located on the blocks on either side of Westview Dr. W. Also, three of the residents on the subject block have terraced garages off of Westview Dr. W. There are properties in the immediate vicinity that exceed current lot coverage requirements, although most of these lots are less than 5000 sq. ft. (undersized lots) and shouldn't be equally compared with the subject property, as it meets current lot size requirements. Even though some of the lots are undersized, lot coverage is exceeded none the less and some conforming size lots do have more coverage than is proposed on the subject property. Two properties (2409 10th Ave W & 2410 11

Ave W) in the vicinity have standard lot sizes (5,220 sq. ft. and 5,593 sq. ft.) and exceed lot coverage requirements. 2409 10th Ave W has a terraced garage and is currently over the allowable lot coverage. Also, 2410 11th Ave W has vehicle access from Westview Dr. W and is over the allowable lot coverage. In summary, others in the vicinity enjoy exceeded lot coverages and terraced garages (accessed off Westview Dr. W) on their property. The strict application of the Land Use Code would deprive the owner of the lot coverage and terraced garage rights and privileges enjoyed by others in the vicinity. As a result, the above criterion is met.

2. *The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located;*

The requested variance does not go beyond the minimum necessary; the zoning code allows the construction of a fourteen (14) foot wide terraced garage in this location as the terraced garage proposal meets the applicable Land Use Code requirements of SMC 23.44.016-C3b. The request does not constitute a grant of special privilege as it would only be permitting a terraced garage similar to other properties in the immediate vicinity that enjoy the privilege of terraced garages accessed off a non-arterial street of Westview Dr. W. Also, lots in the immediate vicinity have non-conforming lot coverage, similar to what is proposed by the applicant.

Further, if only an open parking space were allowed, large retaining walls would be required to support the grades of the site off of Westview Dr W. Large retaining walls to create a parking space in the front yard would diminish neighborhood street front character on the block with unnecessary amounts of paving and large blank walls near the street. The applicant proposes a 14' x 21' terraced garage, meeting the Land Use Code development standards for a single car terraced garage. Since other properties in the vicinity have lots with exceeded lot coverage and terraced garages, this is not a grant of special privilege. As a result the above criterion is met.

3. *The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located;*

The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the subject property as it will remove a curbcut to an arterial street and change the access to a non-arterial street, decreasing the probability of vehicle conflicts. The public welfare regarding parking will not be compromised by the proposal, while one on-street parking space will be removed with a curbcut off of Westview Dr. W another parking place will be created on 10th Ave W when the curb, planting strip and sidewalk are restored. As a result, there will be no net loss of on-street parking to the area. The public welfare regarding Westview Dr. W will be not be compromised by the proposal, the pedestrian safety will be maintained after the conditions (mirrors) of this decision are met.

The walls on either side of the garage will not allow good sight of the pedestrian walk while backing out of the garage. Due to the backing nature and large retaining walls that are required with this terraced garage, a condition regarding vehicle backing safety and lines of sight is justified. The applicant shall provide mirrors at the garage corners in order to improve sight distance when backing into the right of way.

4. *The literal interpretation and strict application of the applicable provisions or requirements of this Land Use Code would cause undue and unnecessary hardship or practical difficulties;*

The literal interpretation and strict application of the Land Use Code would cause undue hardship on the applicant, as the zoning code permits the location of a garage for one vehicle, but lot coverage limit (35%) requirements would not allow the garage. The strict application of the Land Use Code would force the applicant to do one of two things: 1) Make no changes to the property, which is to continue backing out onto an arterial street, which is discouraged by the Land Use Code (SMC 23.54.030-D1b); 2) Change access to Westview Dr. W., and construct an open parking space that would be cut out of the hill abutting the street and large retaining walls installed to protect the cut for the parking space. Option one would cause the applicant a practical difficulty as it would continue a dangerous maneuver with backing vehicle(s) out onto an arterial street. Option two would cause undue hardship to the applicant and the neighborhood by lowering the streetscape compatibility. As a result the above criterion is met.

5. *The requested variance would be consistent with the spirit and purpose of the Land Use Code regulations for the area.*

The spirit and purpose of the Land Use Code recognizes flexibility as one of the important goals to allow the residents in single family zones maximum use and enjoyment of their homes. Granting the requested variance to allow additional lot coverage on the lot for the construction of the terraced garage is consistent with the Land Use Code based on the analysis given above.

The requested variance would be consistent with the spirit and purpose of the Land Use regulations as it allows for the removal of cars backing onto an arterial street, while changing the access to a non arterial street where backing out has less probability to cause an accident. Also the proposal trades one on-street parking space on Westview Dr. W. to 10th Ave W. The proposal is consistent with the spirit of the applicable Land Use Code regulations.

DECISION – VARIANCE:

Variance to exceed the maximum lot coverage on a single family lot is **CONDITIONALLY GRANTED.**

CONDITIONS

Prior to Issuance of MUP

1. The applicant shall use mirrors to provide views of the pedestrian walkway on either side of the terraced garage. This information must be shown on the final MUP drawings and approved by the Land Use Planner, Lucas DeHerrera (206.229.9958) or North Team RIC Supervisor Cheryl Waldman (206.233.3861).

Signature: _____ (signature on file) Date: March 17, 2005
Lucas DeHerrera, RIC Land Use Planner

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